

Introduced by Senator Denham

December 2, 2008

An act to add Section 4107.5 to the Food and Agricultural Code, and to amend Section 8300 of, and to add Section 11011.23 to, the Government Code, relating to state surplus property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 29, as introduced, Denham. State surplus property: Los Angeles Memorial Coliseum.

(1) Existing law creates the Los Angeles Memorial Coliseum Commission as a joint powers agreement between the City of Los Angeles, the County of Los Angeles, and the Sixth District Agricultural Association, referred to as the California Science Center.

This bill would require the California Science Center to sell the parcel of land that the Los Angeles Memorial Coliseum and the Los Angeles Memorial Sports Arena occupy and the state's share of the Los Angeles Memorial Sports Arena structure by authorizing the Department of General Services to establish a process to solicit bids for the fair market sale of the parcel of the land and the Los Angeles Memorial Sports Arena structure. Any buyer or buyers who specify that they will continue with the same use of the parcel of land and the Los Angeles Memorial sports Arena structure would be exempt from any applicable state and local environmental laws and regulations with regard to improvements, construction, or remodeling.

(2) The California Constitution provides that the proceeds from the sale of surplus state property be used to pay the principal and interest on bonds issued pursuant to the Economic Recovery Bond Act until

the principal and interest on those bonds are fully paid, after which these proceeds are required to be deposited into the Special Fund for Economic Uncertainties. Existing statutory law similarly requires that the net proceeds received from any real property disposition be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, until the bonds issued pursuant to the act are retired.

By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation.

This bill would terminate the Los Angeles Memorial Coliseum Commission upon the completion of the sale of the land that the Los Angeles Memorial Coliseum and the Los Angeles Memorial Sports Arena occupy.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) The Los Angeles Memorial Coliseum and its surrounding
- 3 properties and buildings are owned by taxpayers, but are governed
- 4 by the unwieldy Los Angeles Memorial Coliseum Commission,
- 5 two-thirds of which is controlled by local Los Angeles politicians.
- 6 (b) Because of this ineffective oversight and local infighting on
- 7 the Los Angeles Memorial Coliseum Commission over the last
- 8 several decades, the Los Angeles Memorial Coliseum has fallen
- 9 into disrepair and has lost several major tenants.
- 10 (c) State taxpayers are receiving neither appropriate services
- 11 nor an adequate investment return on the Los Angeles Memorial
- 12 Coliseum.
- 13 (d) The solution is for the state to sell the land on which this
- 14 underutilized resource occupies for fair market value to a public
- 15 agency, private agency, or a partnership of both.
- 16 SEC. 2. Section 4107.5 is added to the Food and Agricultural
- 17 Code, to read:
- 18 4107.5. The California Science Center shall sell the parcel of
- 19 property that both the Los Angeles Memorial Coliseum and the
- 20 Los Angeles Memorial Sports Arena occupy in accordance with

1 the procedures outlined in Section 11011.23 of the Government
2 Code.

3 SEC. 3. Section 8300 of the Government Code is amended to
4 read:

5 8300. (a) The joint powers agreement entered into by the City
6 of Los Angeles, the County of Los Angeles, and the Sixth District
7 Agricultural Association known and designated as the California
8 Science Center, creating the Los Angeles Memorial Coliseum
9 Commission, shall be amended to provide that the membership of
10 the commission shall be increased to include two additional ex
11 officio, nonvoting members, one Member of the Senate appointed
12 by the Committee on Rules of the Senate, and one Member of the
13 Assembly appointed by the Speaker of the Assembly.

14 The two additional members shall serve terms that are the same
15 as other members of the commission, and shall participate in the
16 activities of the commission to the extent that their participation
17 is not incompatible with their respective positions as Members of
18 the Legislature. For the purposes of this section, the Members of
19 the Legislature shall constitute a joint investigating committee on
20 the subject of the commission and shall have the powers and duties
21 imposed upon the committees by the Joint Rules of the Senate and
22 Assembly.

23 (b) *Upon completion of the sale of the property that the Los*
24 *Angeles Memorial Coliseum and the Los Angeles Memorial Sports*
25 *Arena occupy, pursuant to Section 11011.23 and Section 4107.5*
26 *of the Food and Agricultural Code, the commission shall rescind*
27 *the agreement that establishes the commission and terminate the*
28 *joint powers authority referred to as the Los Angeles Memorial*
29 *Coliseum Commission.*

30 (c) *Upon termination of the Los Angeles Memorial Coliseum*
31 *Commission pursuant to this subdivision, any outstanding revenue*
32 *bonds issued to finance the construction of the Los Angeles*
33 *Memorial Sports Arena shall be fully redeemed in accordance*
34 *with the bond indenture and the joint powers agreement. Provisions*
35 *also shall be made, as part of the termination of the Los Angeles*
36 *Memorial Coliseum Commission, for the continuing administration*
37 *of the Los Angeles Memorial Sports Arena, and for the transfer*
38 *of any title and interest in the Los Angeles Memorial Coliseum*
39 *structure that may be in the commission to the City of Los Angeles*
40 *and the County of Los Angeles, respectively.*

1 SEC. 4. Section 11011.23 is added to the Government Code,
2 to read:

3 11011.23. (a) Notwithstanding any other provision of law, on
4 or before January 1, 2011, the Department of General Services
5 shall establish a process to solicit bids for the fair market sale of
6 both the parcel of land that the Los Angeles Memorial Coliseum
7 and the Los Angeles Memorial Sports Arena occupy and the state's
8 share of the Los Angeles Memorial Sports Arena structure.

9 (b) If the buyer or buyers of the parcel of land that the Los
10 Angeles Memorial Coliseum and the Los Angeles Memorial Sports
11 Arena occupy and the state's share of the Los Angeles Memorial
12 Sports Arena specify they will continue with the same use of the
13 parcel and the Los Angeles Memorial Sports Arena structure, then
14 any improvements, construction, or remodeling is exempt from
15 all state and local environmental laws and regulations.

16 SEC. 5. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety within
18 the meaning of Article IV of the Constitution and shall go into
19 immediate effect. The facts constituting the necessity are:

20 In order to expedite the sale of state property as a means of
21 addressing the state's fiscal crisis, it is necessary for this act to
22 take effect immediately.